

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

**YASER OMAR, EMMANUEL GARCIA,
and CHARLIE GARCIA, Individually and
On Behalf of All Others Similarly Situated,**

Plaintiffs,

-against-

**1 FRONT STREET GRIMALDI, INC.
d/b/a GRIMALDI'S PIZZERIA, DUMBO
RESTAURANT CORP. d/b/a
GRIMALDI'S PIZZERIA, SIXTH
AVENUE GRIMALDI, INC. d/b/a
GRIMALDI's PIZZERIA, 1215 SURF
AVE. RESTAURANT CORP. d/b/a
GRIMALIDI'S PIZZERIA, and FRANK
CIOLLI, Jointly and Severally,**

Defendants.

16 Civ. 5824 (LDH) (CLP)

**CLERK'S CERTIFICATE OF
DEFAULT**

I, Douglas C. Palmer, Clerk of the United States District Court for the Eastern District of New York, do hereby certify that this action was commenced on October 18, 2016 with the filing of a summons and complaint, a copy of the summons and complaint was served on 1 FRONT STREET GRIMALDI, INC. d/b/a GRIMALDI'S PIZZERIA, SIXTH AVENUE GRIMALDI, INC. d/b/a GRIMALDI'S PIZZERIA, GRIMALDI'S LUNA PARK INC. d/b/a GRIMALDI'S PIZZERIA and FRANK CIOLLI by their counsel, who accepted service of process for all defendants as set forth in a stipulation filed on November 8, 2016. Later, a second amended complaint, replacing defendant GRIMALDI'S LUNA PARK INC. d/b/a GRIMALDI'S PIZZERIA with 1215 SURF AVE. RESTAURANT CORP. d/b/a GRIMALDI'S PIZZERIA, and then a third amended complaint, adding claims against DUMBO RESTAURANT CORP. d/b/a GRIMALDI'S RESTAURANT, INC. (together, with 1 FRONT STREET GRIMALDI, INC.

d/b/a GRIMALDI'S PIZZERIA, SIXTH AVENUE GRIMALDI, INC. d/b/a GRIMALDI'S PIZZERIA and 1215 SURF AVE. CORP. d/b/a GRIMALDI'S PIZZERIA, "Corporate Defendants"), were filed. Corporate Defendants filed an answer to the third amended complaint on June 29, 2018.

Following a motion to withdraw as counsel, counsel for Corporate Defendants were relieved as counsel on December 20, 2019. Corporate Defendants were instructed to find new counsel and granted several extensions, the final extension of which was October 23, 2020, yet no counsel has appeared for Corporate Defendants.

I further certify that the docket entries indicate that the Corporate Defendants have failed to appear by counsel or otherwise defend in this Action despite the Court ordering counsel for Corporate Defendants to appear by October 23, 2020 and warning Corporate Defendants that failure to have counsel appear could result in a default judgment, and Corporate Defendants' time to have counsel appear has therefore expired. The default of the Corporate Defendants is hereby noted.

Dated: New York, New York
_____, 2020

Douglas C. Palmer
Clerk of Court

By: _____
Deputy Clerk